

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appellants: Garland L. Segner et al. Attorney Docket: EV31008US  
Serial No.: 10/632,145 Group Art Unit: 3736  
Filed: July 31, 2003 Examiner: Jeffrey Gerben Hoekstra  
For: GUIDE WIRE WITH STRANDED TIP

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**REPLY BRIEF**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is filed in response to the November 23, 2007 Examiner's Answer. Appellants respectfully request reconsideration and reversal of the Examiner's rejection of the claims.

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Certificate of Electronic Transmission (37 C.F.R. § 1.8)

I hereby certify that this paper is being transmitted to the U.S. Patent and Trademark Office electronic filing system on the date indicated below.

Date: January 24, 2008

Signature: 

Name: Jodi Jung

### REMARKS

This Reply Brief responds to the Examiner's remarks on pages six to eight of the November 23, 2007 Examiner's Answer.

The claimed guide wires comprise a core and a single coil and other components. The single coil comprises 3 to 24 wire strands, each of the 3 to 24 wire strands are formed in a single helix and are wrapped helically parallel to one another to form the single coil, and the wire strands of the coil form an angle with the longitudinal central axis of the coil of from 10 to 45 degrees. Avellanet does not teach or suggest the claimed range for the angle of from 10 to 45 degrees.

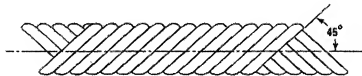
The Examiner appears to contend that Avellanet suggests the claimed range because the language "wherein the angle between the wire strands and the longitudinal central axis is from 10 to 45 degrees" is so vague that it can be construed as the Examiner has on pages seven and eight of the Examiner's Answer. In describing Figure 11 of Avellanet, the Examiner states:

At first glance, one may assume the angle between the longitudinal central axis and the wire strands is on the order of 70-90 degrees; however as illustrated below, one may reasonably interpret that any point along the longitudinal central axis be used as a basis for forming the angle between the axis and the wire strands. For example, the angle formed between point A on the axis and point B through the wire strands may be 10 degrees and likewise, the angle formed between point A on the axis and point C through the wire strands may be 45 degrees.

Paragraph 17 of the November 23, 2007 Examiner's Answer.

The application at page 15 and in Figure 8 conflicts with the Examiner's interpretation of the claims. The application at page 15, line 7, states "FIG. 8 illustrates six stranded wires where the angle  $\theta$  (theta) is 45 degrees." At page 15, lines 10 and 11, the application states, "[f]or the stranded wires used in this invention angles of 10 to 45 degrees are generally preferred, and angles of 15 to 30 degrees are particularly preferred." Figure 8 of the application clearly shows what

is intended by the angle between the wire strands of the coil and the longitudinal central axis of the coil. Figure 8 is reproduced below:



*Fig. 8*

The application provides evidence of how one skilled in the art would construe the language “wherein the angle between the wire strands and the longitudinal central axis is from 10 to 45 degrees.” As shown in Figure 8 and the accompanying description in the specification, it is clear to one of skill in the art what the language “wherein the angle between the wire strands and the longitudinal central axis is from 10 to 45 degrees” means and that this language does not encompass Figure 11 of Avellanet. The Examiner’s interpretation of the claims is not reasonable to one of skill in the art and conflicts with the drawings and specification.

Because the cited references do not teach or suggest the claimed invention, Appellants respectfully request that the Examiner withdraw the rejections of the claims.

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an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: January 21, 2008

By



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